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PATENT  
ATTORNEY DOCKET NO. 040894-5766

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Keijiro MURAYAMA et al. ) Confirmation No.: 7724  
Application No.: 10/092,352 ) Group Art Unit: 3753  
Filed: March 7, 2002 ) Examiner: John A. RIVELL  
For: APPARATUS FOR OUTPUTTING )  
COMPRESSED AIR IN COMPRESSOR )

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
**Customer Window, MS Non-Fee Amendment**  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**AMENDMENT TRANSMITTAL FORM**

1. Transmitted herewith is an Amendment in response to the Office Action dated February 11, 2004.
2. Additional papers enclosed:

- Drawings:  Formal  Informal (Correction)  
 Information Disclosure Statement  
 Form PTO-1449, \_\_\_\_\_ reference(s) included  
 Citations  
 Declaration of Biological Deposit  
 Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- [X] Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- [ ] Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
[ ] one month	\$ 110.00	\$ 55.00
[ ] two months	\$ 420.00	\$210.00
[ ] three months	\$ 950.00	\$475.00
[ ] four months	\$1,480.00	\$1,005.00

Extension of time fee due with this request: \$ \_\_\_\_\_.

If an additional extension of time is required, please consider this a Petition therefore.

- [ ] An extension for \_\_\_\_\_ months has already been secured and the fee paid therefore of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- [X] **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. § 1.16(c))	7	minus	20	0	x \$18 each =	+ \$ 0.00
Independent Claims (37 C.F.R. § 1.16(b))	2	minus	3	0	x \$86 each =	+ \$ 0.00
[ ] First presentation of Multiple dependent claim(s)				\$290.00		+ \$ 0.00
<b>SUB-TOTAL =</b>						<b>\$ 0.00</b>
Reduction by ½ for filing by a small entity						- \$ 0.00
<b>TOTAL FEE =</b>						<b>\$ 0.00</b>

6. Fee Payment

- [X] No fee is to be paid at this time.
- [ ] The Commissioner is hereby authorized to charge the amount of \$ \_\_\_\_\_ for extension of time fee or fee for claims due to Deposit Account No. 50-0310.
- [X] The Commissioner is hereby authorized to charge any additional fees that may be required, including fees due under 37 CFR §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By:   
Peter J. Sistare  
Registration No. 48,183

Dated: April 13, 2004

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202.739.3000



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Sir:

**AMENDMENT UNDER 37 C.F.R. § 1.111**

In response to the Office Action dated February 11, 2004, the period for response to which extends through May 11, 2004, please amend the above-identified application as follows: